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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/074,019

02/14/2002

Ken Cameron

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09/08/2006

POTOMAC PATENT GROUP, PLLC

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EXAMINER

BILGRAMI, ASGHAR H

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/074,019

Applicant(s)

CAMERON, KEN

Examiner

Asghar Bilgrami

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 and 11-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/31/2006 has been entered.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 5 & 8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Nowhere in the specification it indicates that a processor is "interrogating" the ticket dispenser to take the next ticket. The Specifications shows a 10-step process that describes the behavior of a processor and "interrogating a ticket dispenser" is not one of them.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al (U.S. 6,338,078).

6. As per claims 1, 5 & 8 Chang disclosed a processing system comprising a plurality of processing engines for processing datagrams in a predetermined order, each processing engine comprising at least one input port, at least one output port and a plurality of processing elements, each processing element comprising an input port connected to the at least one input port of the processing engine, an output port connected to the at least one output port of the processing engine (col.5, lines 8-25) and arithmetic and logic means, and a ticket dispenser adapted to associate a ticket with each incoming datagram (col.5, lines 66-67 & col 6, lines 1-32) and to be interrogated by the processing elements, once the processing element becomes available, to take the next available ticket (col.6, lines 33-50, 66-67 & col.7, lines 1-5), the order of processing datagrams being controlled at the at least one input port of the processing engine and at the least one output port of the processing engine in dependence on a said ticket associated with the datagram or a group of the datagrams (col.5, lines 66-67, col.6, lines 1-50). Although Chang did not explicitly disclose a ticket dispenser adopted to associate a ticket with each incoming datagram. However Chang disclosed a queuing mechanism for queuing the packets (datagrams)

Art Unit: 2143

in a such a way that packets arrive at the device driver in a certain sequence and are then aligned in sequence to be processed by multiple processors (Figure.3, col.5, lines 8-26, lines 66-67, col.6, lines 1-32).

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated the use of queuing mechanism instead of ticket dispenser to align packets in a certain sequence before being processed by multiple processors in order to make the processing of the packets more efficient resulting in a more robust packet processing system.

7. As per claim 2 Chang disclosed a method according to claim 1, wherein the order of the datagrams or group of datagrams at the at least one input port corresponds to the order of the datagrams at the at least one output port (col.5, lines 66-67, col.6, lines 1-50).

8. As per claim 3 Chang disclosed a method according to claim 1, wherein the tickets comprise numerical values (col.5, lines 66-67, col.6, lines 1-50).

9. As per claim 4 Chang disclosed a method according to claim 1, wherein the ticket comprises a semaphore with data associated therewith (col.5, lines 66-67, col.6, lines 1-50).

10. As per claim 6 Chang disclosed a processing engine according to claim 5, wherein the processing element comprises an element of a multi threaded array processing engine (col.5, lines 1-26)

Art Unit: 2143

11. As per claim 7 Chang disclosed a processing engine according to claim 5, wherein the processing element can leave or enter the predetermined order (col.5, lines 66-67 & col.6, lines 1-32).

12. As per claim 9 Chang disclosed a processing system according to claim 8, wherein datagrams are processed in a round robin manner (col.5, lines 66-67 & col.6, lines 1-50).

13. As per claim 10 Chang disclosed a processing system according to claim 8 further comprising a ticket dispense for giving tickets to a datagram or group of datagrams (col.5, lines 66-67 & col.6, lines 1-50).

14. As per claim 11 Chang disclosed a processing system according to claim 10, wherein the tickets are issued on a first come first served basis ((col.5, lines 1-26, lines 66-67 & col.6, lines 1-50).

15. As per claim 12 Chang disclosed a processing system according to claim 8 further comprising a counter for maintaining the value of the current ticket (col.5, lines 66-67 & col.6, lines 1-50).

Art Unit: 2143

16. As per claim 13 Chang disclosed a processing system according to claim 12, wherein the counter comprises storage means for storing a numerical value (col.5, lines 66-67 & col.6, lines 1-50).

17. As per claim 14 Chang disclosed a processing system according to claim 13, wherein once a processing element is allocated a datagram of group of datagrams for processing, the counter is incremented (col.5, lines 66-67 & col.6, lines 1-50).

### ***Response to Arguments***

18. Applicant's arguments filed 05/31/2006 have been fully considered but they are not persuasive.

19. On page 8 line 6 of the of the argument section the applicant stated that Chang does not disclose that "the processor interrogates a ticket allocator (or ticket dispenser) to take the next ticket" and on line 19 of page 9 applicant argued that "Chang fails to disclose a ticket dispenser that operates in a proactive manner".

20. As to applicant argument it seems that there is contradiction between the two arguments as to which element is proactive. Examiner requests the applicant to clearly specify which element is initiating the action I.E. is it the ticket dispenser or the processor. Additionally please

Art Unit: 2143

see examiner's 112 rejection on line 2 of this office action regarding processor interrogating the ticket dispenser. Examiner also advises the applicant to incorporate the appropriate functionalities of the elements clearly into the claim for proper examination of the claimed invention.

21. Applicant argued that Chang fails to disclose a ticket dispenser to associate a ticket with each incoming packet.

22. As to applicants argument Chang clearly describes that the invention provides sequencing to the packets (datagrams) before they are processed (col.6, lines 20-32).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on M-F, 8:00-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2143

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
AB

Asghar Bilgrami  
Examiner  
Art Unit 2143



JEFFREY PWU  
PRIMARY EXAMINER